

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friend et al.

Application No.: 09/220,142      1999      Group Art Unit: 1655

Filed: December 23, 1998      Examiner: Marschel, A.

For:    METHODS OF      Attorney Docket No.: 9301-035-999  
         CHARACTERIZING DRUG  
         ACTIVITIES USING CONSENSUS  
         PROFILES

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.56 AND § 1.97

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the U.S. Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants respectfully direct the Examiner's attention to References AA-GV which are listed on the accompanying revised PTO Form 1449.

Pursuant to 37 C.F.R. §1.98(a), copies of the references AM-AQ have not been included herein as these references are U.S. patent applications. Copies of references AA-AL and AR-GV are submitted herewith.

While not to be construed as indicating that the Examiner should not fully consider all the listed references, the Examiner's attention is particularly directed to the following references:

- BI    Blanchard *et al.*, 1996, "Sequence to array: Probing the genome's secrets," Nature Biotechnology 14:1649.
- BJ    Blanchard *et al.*, 1996, "High-density oligonucleotide arrays," Biosensors & Bioelectronics 11:687-690.

- BO Bryant *et al.*, 1998, "Gene Expression and Genetic Networks," Pacific Symposium on Biocomputing 3:3-5.
- BT Carr *et al.*, 1997, "Templates for Looking at Gene Expression Clustering," Statistical Computing & Statistical Graphics Newsletter pp. 20-29.
- BW Chee *et al.*, 1996, "Accessing genetic information with high-density DNA arrays," Science 274:610-614.
- CE D'haeseleer *et al.*, 1998, "Mining the Gene Expression Matrix: Inferring Gene Relationships From Large Scale Gene Expression Data"  
Available Web Site:  
<http://www.cs.unm.edu/~patrik/networks/IPCAT/ipcat.html>  
Accessed on: 11/18/98 6:16 p.m.
- CF DeRisi *et al.*, 1997, "Exploring the Metabolic and Genetic Control of Gene Expression on a Genomic Scale," Science 278:680-686
- CG DeRisi *et al.*, 1996, "Use of a cDNA microarray to analyze gene expression patterns in human cancer," Nature Genetics 14:457-460.
- CP Fuhrman *et al.*, 1997, "Genetic Network Inference," Proceedings of the International Conference on Complex Systems, Nashua, NH, 21-26.  
Available Web Site:  
<http://rsb.info.nih.gov/mol-physiol/ICCS/inference/ICCS.html>  
Accessed on: 11/18/98 6:14 p.m.
- EA Lockhart *et al.*, 1996, "Expression monitoring by hybridization to high-density oligonucleotide arrays," Nature Biotechnology 14:1675-1680.
- ED Marnellos *et al.*, 1998 "A Gene Network Approach to Modeling Early Neurogenesis in Drosophila," Pacific Symposium on Biocomputing 3:30-41.  
Available Web Site:  
<http://www-smi.stanford.edu/projects/helix/psb98/>  
Accessed on: 11/24/98 3:48 p.m.
- EL Michaels *et al.*, 1998, "Cluster Analysis and Data Visualization of Large-Scale Gene Expression Data," Pacific Symposium on Biocomputing 3:42-53.  
Available Web Site:  
<http://www-smi.stanford.edu/projects/helix/psb98/>  
Accessed on: 11/24/98 3:48 p.m.
- FM Schena, 1996, "Genome analysis with gene expression microarrays," BioEssays 18:427.
- FL Schena *et al.*, 1995, "Quantitative monitoring of gene expression patterns with a complementary DNA micro-array," Science 270:467-470.
- FN Schena *et al.*, 1996, "Parallel human genome analysis: microarray-based expression monitoring of 1000 genes," Proc. Natl. Acad. Sci. USA 93:10614-10619.

- FU Southern, 1996, "DNA chips: analysing sequence by hybridization to oligonucleotides on a large scale," Trends. Genet. 12:110-115.
- GO Weinstein *et al.*, 1997, "An information-intensive approach to the molecular pharmacology of cancer," Science 275:343-349
- GQ Wen *et al.*, 1998, "Large-Scale Temporal Gene Expression Mapping of Central Nervous System Development," Proc. Natl. Acad. Sci. USA 95:334-339.
- GT Yuh *et al.*, 1998, "Genomic Cis-regulatory logic: experimental and computational analysis of sea urchin gene," Science 279:1896-1902.

Identification of the listed references is not to be construed an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited".

Pursuant to 37 C.F.R. § 1.97(b)(3), since Applicants believe that this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits, no fee is due. However, should the Patent Office determine otherwise, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate of this sheet is enclosed.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Respectfully submitted,

Date October 5, 1999

Adriane M. Antler 32,605  
Adriane M. Antler (Reg. No.)

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Enclosure